

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
Civil Case No. 1:14-cv-00014-MR
[Criminal Case No. 1:09-cr-00051-MR-1]**

JEFFREY ALAN ARTHUR,

Petitioner,

VS.

UNITED STATES OF AMERICA,

Respondent.

ORDER

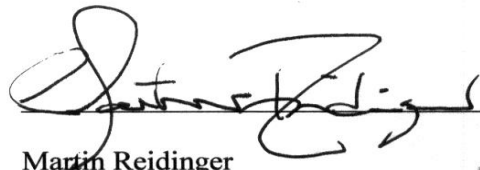
THIS MATTER is before the Court on consideration of the supplemental § 2255 motion to vacate Petitioner's sentence, which was filed by Attorney Ann Hester of the Federal Defenders of Western North Carolina [Doc. 5].

After examining the supplemental motion for relief, which is based on the Fourth Circuit's *en banc* decision in United States v. Simmons, 649 F.3d 237 (2011), the Court finds that the Government should file an answer or response addressing the claims for relief presented by Petitioner's counsel. See Rule 4(b) of the Rules Governing Section 2255 Proceedings.

IT IS, THEREFORE, ORDERED that the Government shall file an answer or response to Petitioner's supplemental motion to vacate within forty-five (45) days from entry of this Order.

IT IS SO ORDERED.

Signed: July 2, 2014


Martin Reidinger
United States District Judge

